

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

FIDEL MORA-GUERRA,

Plaintiff,

v.

Case No. 17-C-1593

KENOSHA COUNTY DETENTION
CENTER MEDICAL STAFF, *et al.*,

Defendants.

ORDER

Plaintiff Fidel Mora-Guerra, an Immigration and Customs Enforcement detainee, filed a complaint under 42 U.S.C. § 1983 alleging he was not receiving adequate medical care while at the Kenosha County Detention Center. Magistrate Judge William Duffin, who was assigned to the case at the time, screened plaintiff's complaint and allowed him an opportunity to amend. Judge Duffin gave him until March 12, 2018 to do so. Plaintiff has yet to file an amended complaint.

To ensure that plaintiff actually received the court's order, the Court inquired into plaintiff's whereabouts. Plaintiff did not show up in searches of Kenosha County Detention Center inmates or searches of the Wisconsin Department of Correction's database. A call to the Kenosha County Detention Center revealed that Mora-Guerra was "released" on March 6, 2018, most likely to Immigration and Customs Enforcement. Judge Duffin's order was issued and mailed on February 27, 2018, so plaintiff was in receipt of the order and knew his obligations. The Court has no means to find out where plaintiff is now, and plaintiff has not updated the Court.

Ultimately, it is the plaintiff's responsibility to notify the Court of changes of address. While the Court appreciates this is not so simple as a move to a new home or even between corrections centers, failure to remain in contact with the Court allows the Court to infer that plaintiff no longer wishes to prosecute his case. *See* Civil L.R. 41(c). Therefore, the Court will dismiss the case without prejudice. Plaintiff may refile his lawsuit at a later date, subject to the relevant statute of limitations. If he does so, he will be required to pay a new filing fee.

THEREFORE, this action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

SO ORDERED on this 22nd day of May, 2018.

s/ William C. Griesbach
William C. Griesbach, Chief Judge
United States District Court